

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS


LORENZO GUARINO,	)	
Plaintiff	)	
v.	)	
	)	
R.W. GRANGER AND SONS, INC.	)	
Defendant/	)	CIVIL ACTION NO: 04-10246
Third-Party Plaintiff	)	
v.	)	
	)	
SCAVONE C&M CONSTRUCTION CO., INC.,	)	
And FENESTRATION ARCHITECTURAL	)	
PRODUCTS, INC.,	)	
Third-Party Defendants	)	

**THE DEFENDANT'S, SCAVONE C&M CONSTRUCTION CO., INC., MOTION  
TO COMPEL EXPERT DISCLOSURES**

The Defendant, Scavone C&M Construction Co., Inc. ("Scavone") hereby submits this Motion to Compel Expert Disclosures by the Plaintiff and R.W. Granger and Sons, Inc. in this matter pursuant to Rule 26 (a)(2). As grounds therefor, Scavone states that the Court (Tauro, J.) ordered that all Parties submit all expert disclosures by April 28, 2006 during its discovery order of October 5, 2005. Scavone submitted its expert disclosures on April 28, 2006 in accordance with this Order. No other parties have provided expert disclosures in this case. Accordingly, Scavone requests that the Court set a date certain for the Parties to provide their expert disclosures. Further, Scavone requests that the Court grant it an opportunity to supplement and amend its expert disclosures as additional discovery information and expert information becomes available pursuant to Rule 26(e)(1). Scavone makes this Motion for the purposes of preserving this issue in light of the Court's Discovery Order of June 23, 2006, stating that all Motions not brought to the Court's attention by July 10, 2006 will be considered moot.

WHEREFORE, The Defendant, Scavone C&M Construction Co., Inc., hereby requests that this Court order the Parties to provide their expert disclosures by a date certain of the Court's choosing and allow Scavone to supplement its expert disclosures in accordance with Rule 26(e)(1).

Respectfully submitted,  
The Defendant,  
Scavone C&M Construction Co., Inc.  
By its Attorneys,

  
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**CERTIFICATE OF SERVICE**

I hereby certify that I served a copy of the foregoing pleading on all parties by electronic service, to all counsel of record.

Signed under the pains and penalties of perjury.

DATED: July 7, 2006  
